

A variance from the Building Code Board of Appeals may be required for variances from the Zoning Board of Adjustment (no Sign Review Board cases need to call). Please consult a code specialist in the Plan Review Division at 974-2580.

If you need assistance completing this application (general inquires only) please contact Susan Walker, 974-2202; 505 Barton Springs Road, 2<sup>nd</sup> Floor (One Texas Center).

CASE # CIS-2013-0018  
ROW # 10895978  
TP. 0401020702

**CITY OF AUSTIN  
APPLICATION TO BOARD OF ADJUSTMENT  
GENERAL VARIANCE/PARKING VARIANCE**

**WARNING: Filing of this appeal stops all affected construction activity.**

**PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.**

| STREET ADDRESS: 1805 South Third Street

| LEGAL DESCRIPTION: Subdivision - James E. Bouldin Addition, according to the map or plat of record in Volume 1, Page 71, Plat Records, Travis County, Texas

| Lot(s) \_\_\_\_\_ Block G Outlot \_\_\_\_\_ Division \_\_\_\_\_

| I/We Jesse Herman \_\_\_\_\_ on behalf of myself/ourselves as authorized agent for

| \_\_\_\_\_ affirm that on January 31,  
2013,

hereby apply for a hearing before the Board of Adjustment for consideration to:

(check appropriate items below)

| ERECT  ATTACH COMPLETE  REMODEL MAINTAIN

| Remodel an existing 1-story, 831 sf residence and construct a 383 sf 1-story master suite addition.

in a SF-3-NP district.  
(zoning district)

**NOTE:** The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

**VARIANCE FINDINGS:** I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

**REASONABLE USE:**

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

The lot was subdivided from a larger lot in 1977 (after the March 14, 1946 date set forth by LDC 25-2-943), and the lot does not meet the requirements of LDC 25-2-943 (2) a&b of having an area of less than 5,750 (lot is 3,566 sf) and not less than 50 ft wide at the street or building line (lot is 39.94' wide). The existing house does protrude over the front and one side setback, but has been such since it was built in 1932 and is an existing non-conforming condition. The proposed addition would be fully compliant with current LDC setback requirements.

**HARDSHIP:**

2. (a) The hardship for which the variance is requested is unique to the property in that:

The property in its existing configuration and size has been such since 1977. The house itself has been in its existing configuration since it's construction in 1932. Current zoning lot requirements require the variance to adequately use the property.

- (b) The hardship is not general to the area in which the property is located because:

Typical lots within the neighborhood are approximately 50' x 150', this lot is almost half that typical size. The subdivision of the lot after 1946 into a lot that is too small to meet substandard lot requirements is a condition unique to the property. The proposed addition would maintain the intended purpose of the zoning regulations and will not alter the character of the adjacent area to the property.

**AREA CHARACTER:**

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The proposed addition to the existing house will maintain the existing architectural character, detailing and height of the original house. While the existing house does protrude over the front and one side setback, it is an existing non-conforming condition in existence since it was built in 1932. The proposed addition would be fully compliant with current LDC setback requirements and meet all McMansion requirements. Only one tree on the property will be impacted, a Crepe Myrtle, which the City Arborist has confirmed does not require a permit for its removal.

**PARKING:** (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

No parking variance is being requested.

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

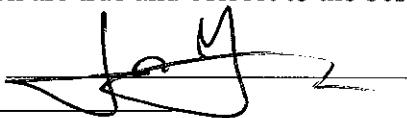
3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:
- 
- 

**NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.**

**APPLICANT CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

| Signed



Mail Address 1805 S. 3rd St.

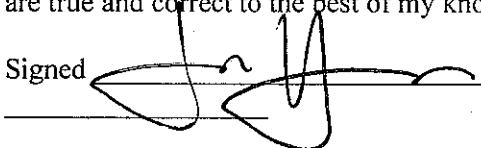
| City, Austin, State TX & Zip 78704

| Printed Jesse Herman Phone 646-361-4844

Date 01/31/13

**OWNERS CERTIFICATE** – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

| Signed



Mail Address 1805 S. 3rd St.

| City, Austin, State TX & Zip 78704

| Printed Jesse Herman Phone 646-361-4844

Date 01/31/13

## **GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

### **VARIANCE REQUIREMENTS:**

#### **General Requirements:**

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.



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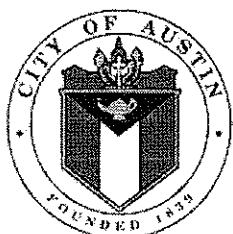
SUBJECT TRACT

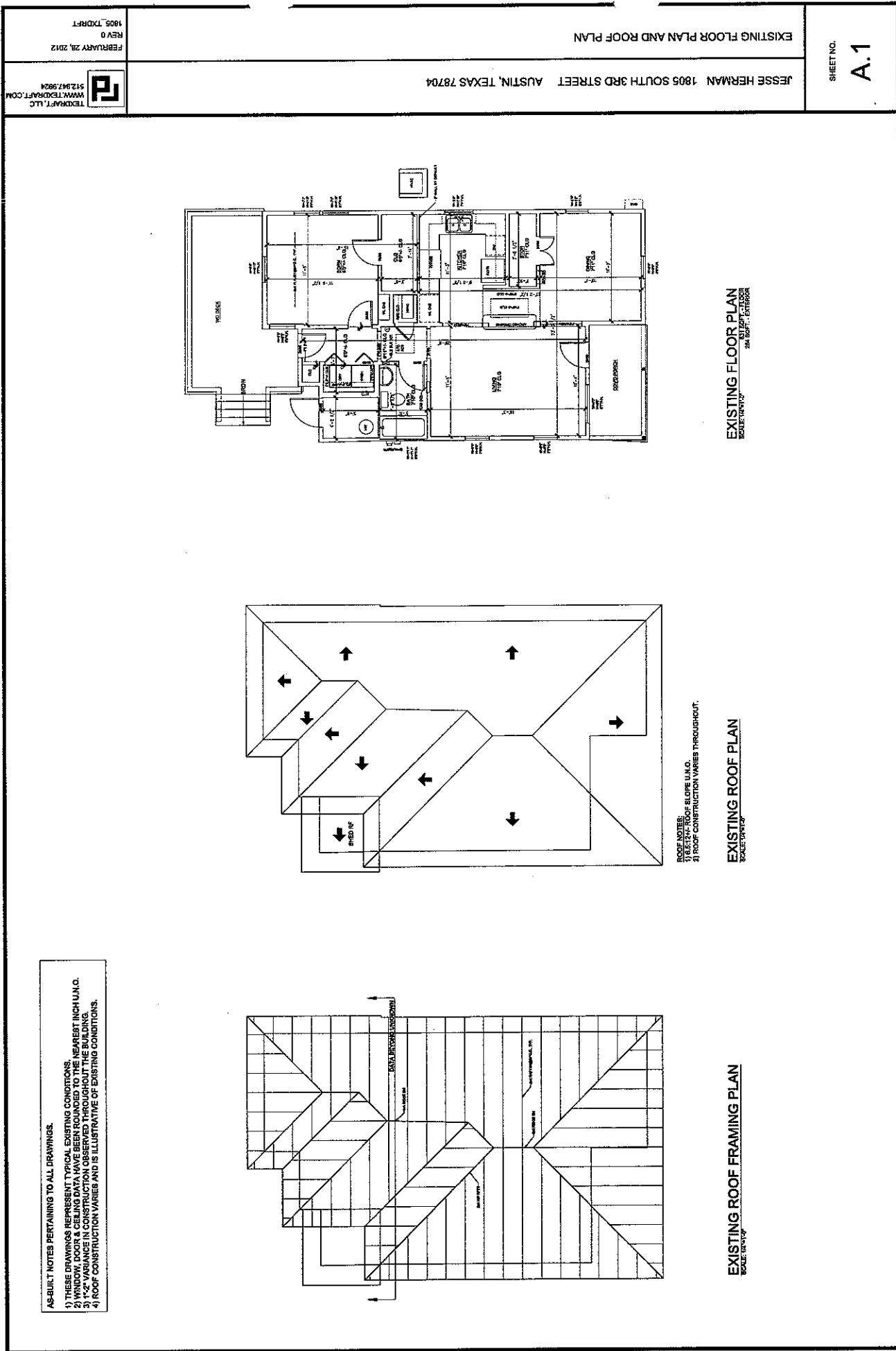
ZONING BOUNDARY

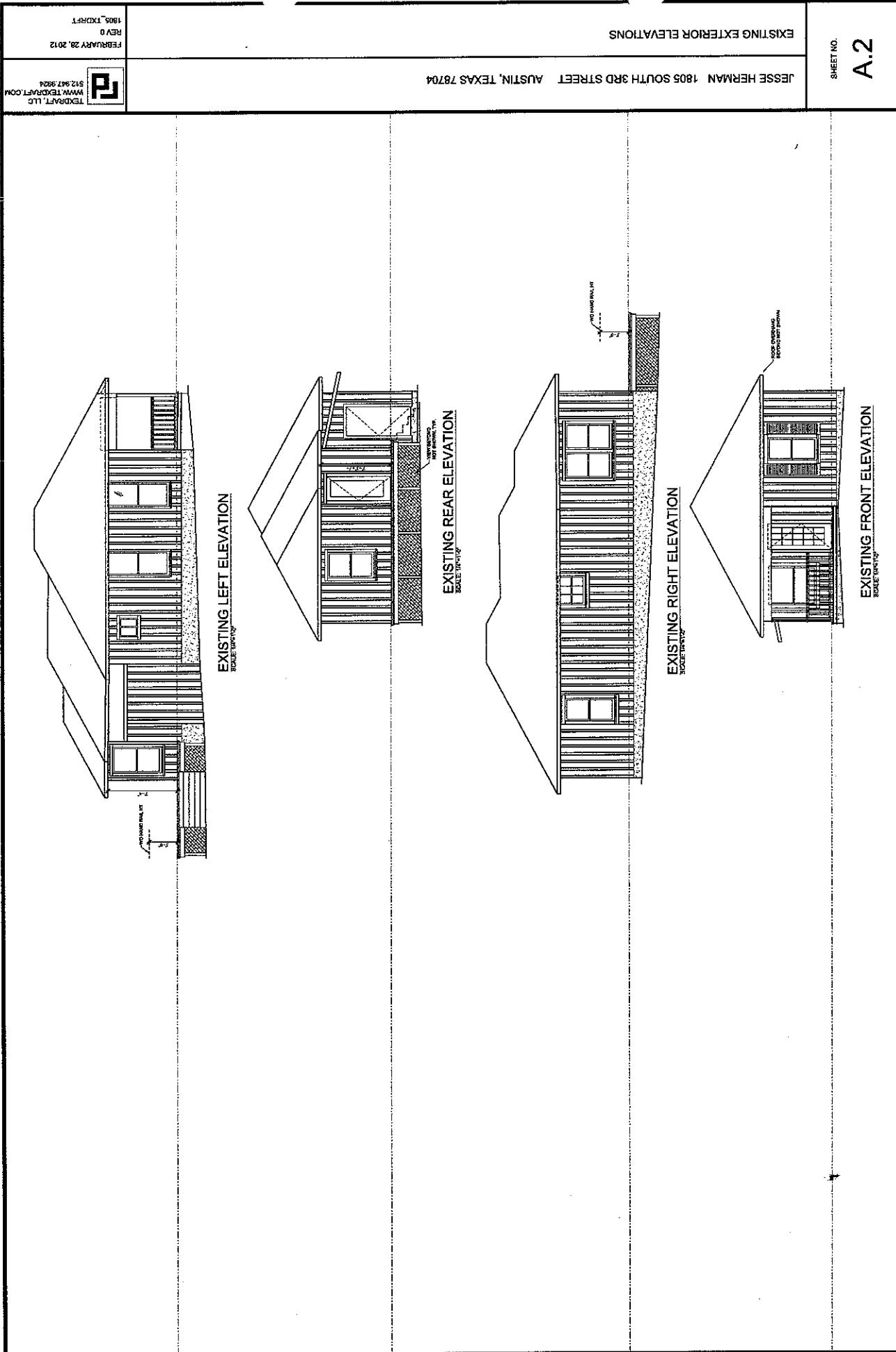
CASE#: C15-2013-0018  
LOCATION: 1805 SOUTH THIRD ST

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by the Planning and Development Review Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



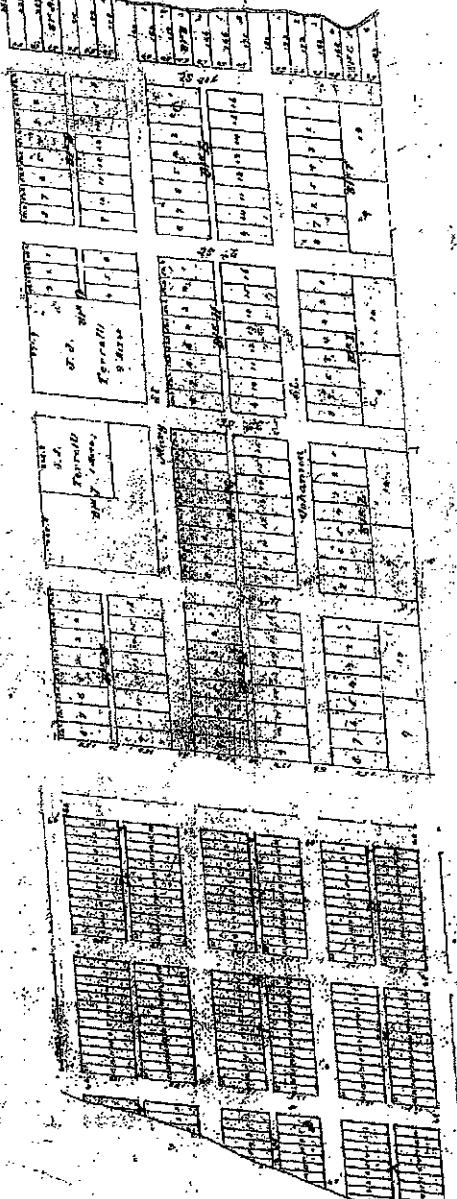




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Addition

Entered July 27, 1891, at U.S. Post Office, Boston, Mass., by Frank Brown, publisher.



Recd Jan 17 1894 at 3 P.M.  
Recd Jan 17 1894  
Recd Jan 17 1894

ପ୍ରକାଶକ

France established a paper manufacturer.

1900-1901  
1901-1902

(Original) *John C. Calhoun*

卷之三





1 Aerial Map  
Scale: M.T.S.

A00

Aerial Map

Gang Y. Liu

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四百三

Project  
Help  
180

**Herman Residence**  
1805 South 3rd Street  
Austin, TX 78704

19 September 2012, RCP Revised

Concurrent

Design Team  
Michael Hsu  
Office Of Architecture

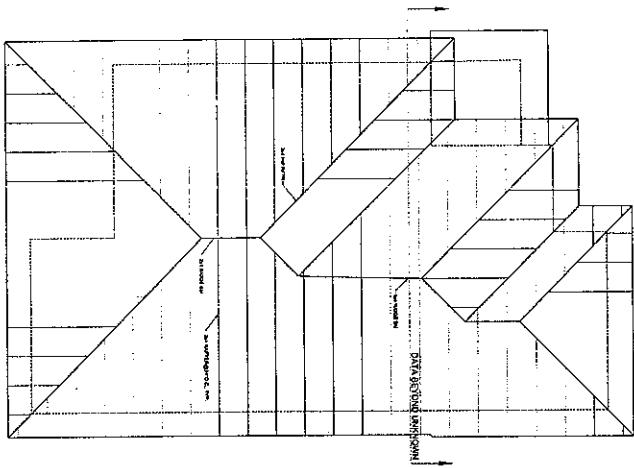
3423 Guadalupe Street, Suite 200  
Austin, Texas 78705  
(Offices (512) 706-4303)

NewOfferList

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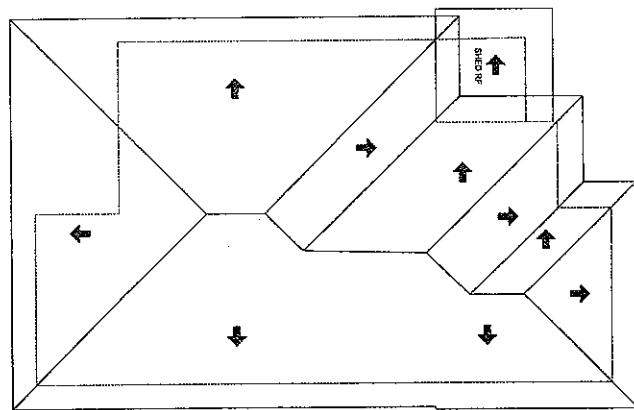


3) 1'-2" VARIANCE IN CONSTRUCTION - REFER TO THE INDIVIDUAL BUILDING'S  
 4) ROOF CONSTRUCTION VARIES / 5) ILLUSTRATIVE OF EXISTING CONDITIONS.



**EXISTING ROOF FRAMING PLAN**

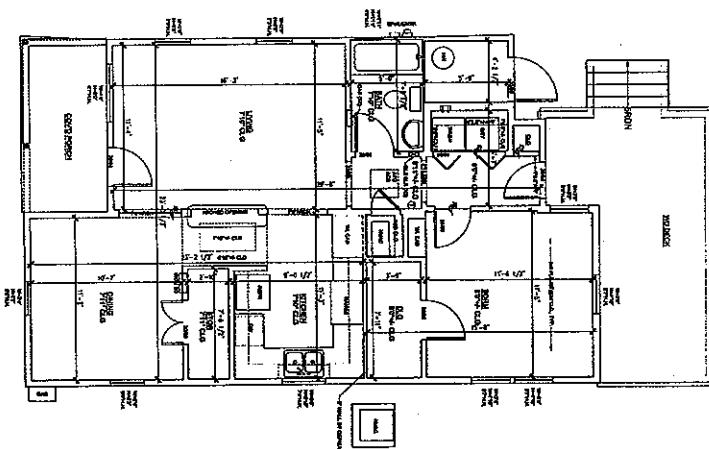
SCALE: 1/8" = 1'-0"



**EXISTING ROOF PLAN**

SCALE: 1/8" = 1'-0"

**ROOF NOTES:**  
 1) 5/12 SLOPE UNLESS OTHERWISE SPECIFIED.  
 2) ROOF CONSTRUCTION VARIES THROUGHOUT.



**EXISTING FLOOR PLAN**

SCALE: 1/8" = 1'-0"

JESSE HERMAN 1805 SOUTH 3RD STREET AUSTIN, TEXAS 78704

**A.1**

SHEET NO.

EXISTING FLOOR PLAN AND ROOF PLAN



FEBRUARY  
REV 0

A.2

SHEET NO.

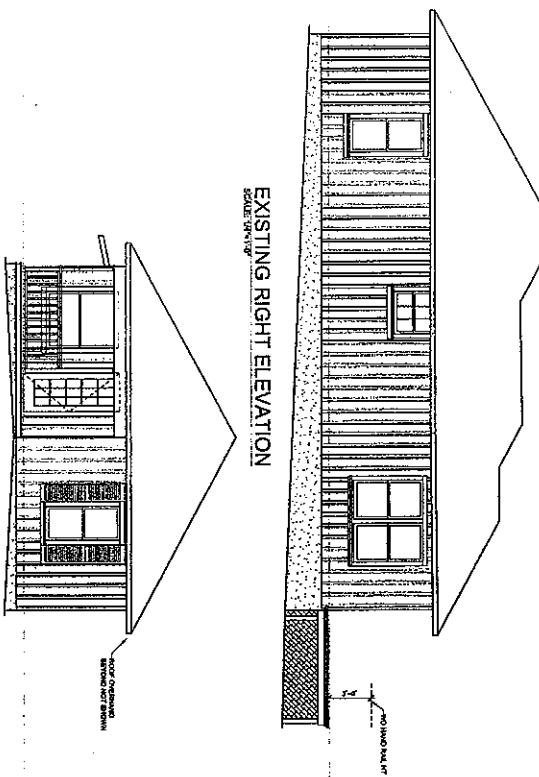
JESSE HERMAN 1805 SOUTH 3RD STREET AUSTIN, TEXAS 78704

EXISTING EXTERIOR ELEVATIONS

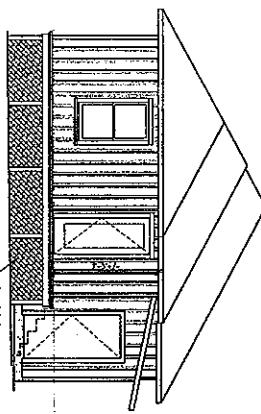


FEBRUARY  
REV 0

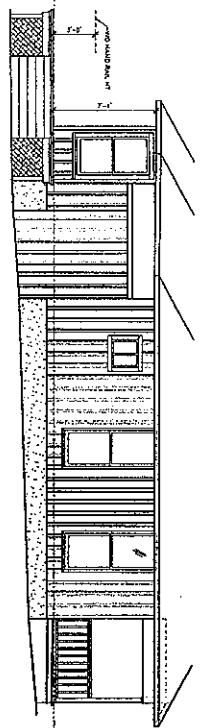
EXISTING FRONT ELEVATION  
SCALE: 1/8" = 1'-0"

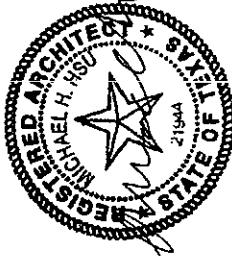


EXISTING REAR ELEVATION  
SCALE: 1/8" = 1'-0"



EXISTING LEFT ELEVATION  
SCALE: 1/8" = 1'-0"



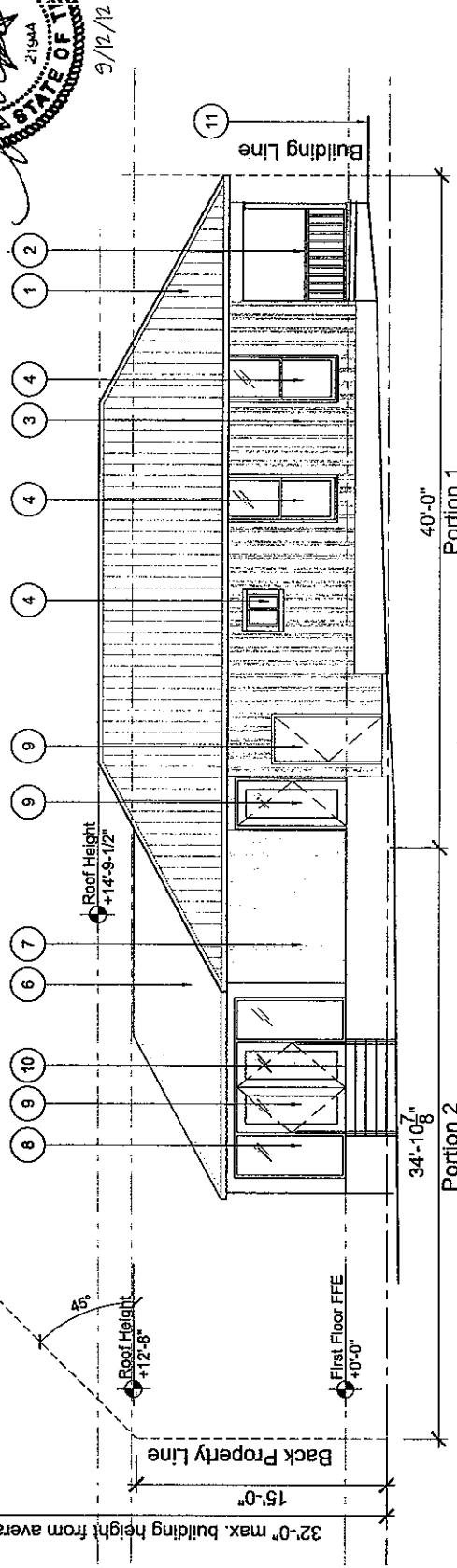


Office Of Architecture  
Michael Hsu

12 September 2012, Permisi  
Hermann Residence  
1805 South 3rd Street  
Austin, TX 78704

A3.2

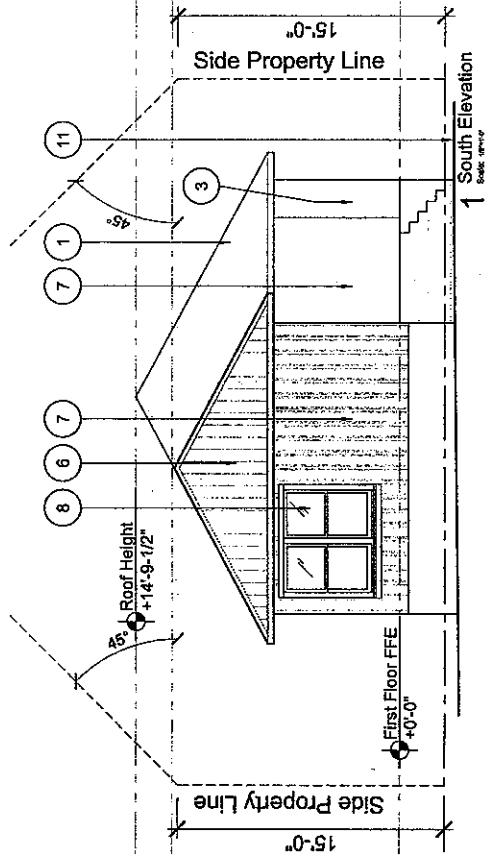
Rear Setback Plane



Elevation & Section General Notes:

## Keynotes:

1. The dimensions on this sheet are based on Finished Floor elevation to framing heights unless otherwise noted. All dimensions are to wall framing plate height, transom window sill plate height, and maximum roof height.  
Contractor (GC) to field verify all dimensions prior to construction and/or installation of any equipment, accessories, etc. If a discrepancy is identified, notify MOA immediately.
  2. Elevations are shown for reference only. Refer to Building Plans, Sections, Wall Sections and Window Elevations for additional information.
  3. All glass to be tempered in areas required by applicable code.
  4. Refer to appropriate sheet and/or schedule for additional information/detail regarding items shown herein.
  5. Keynotes located on this sheet are for this sheet only.
  6. Do not scale the drawings. If a specific dimension is not given, contact MOA for clarification.
  7. Refer to Sheet A0-1-General Conditions for additional information associated with, but not limited to, submittals, shop drawings, samples, cutting and patching, coordination and staging, protection of work.
  8. Existing roof to remain  
Existing porch to remain, paint  
Existing siding to remain, paint  
Existing window to remain  
Existing door to remain  
New roofing to match existing, paint  
New siding to match existing, paint  
New window  
New door  
New wood deck  
Existing grade





Michael Hsu  
Architecture

Office Of

Hsu

Michael Hsu

Office Of Architecture

Michael Hsu

Office Of

Hsu

Office Of Michael Hsu

Office Of Architecture



Aerial Map

19

September

2012

RCP

Revised

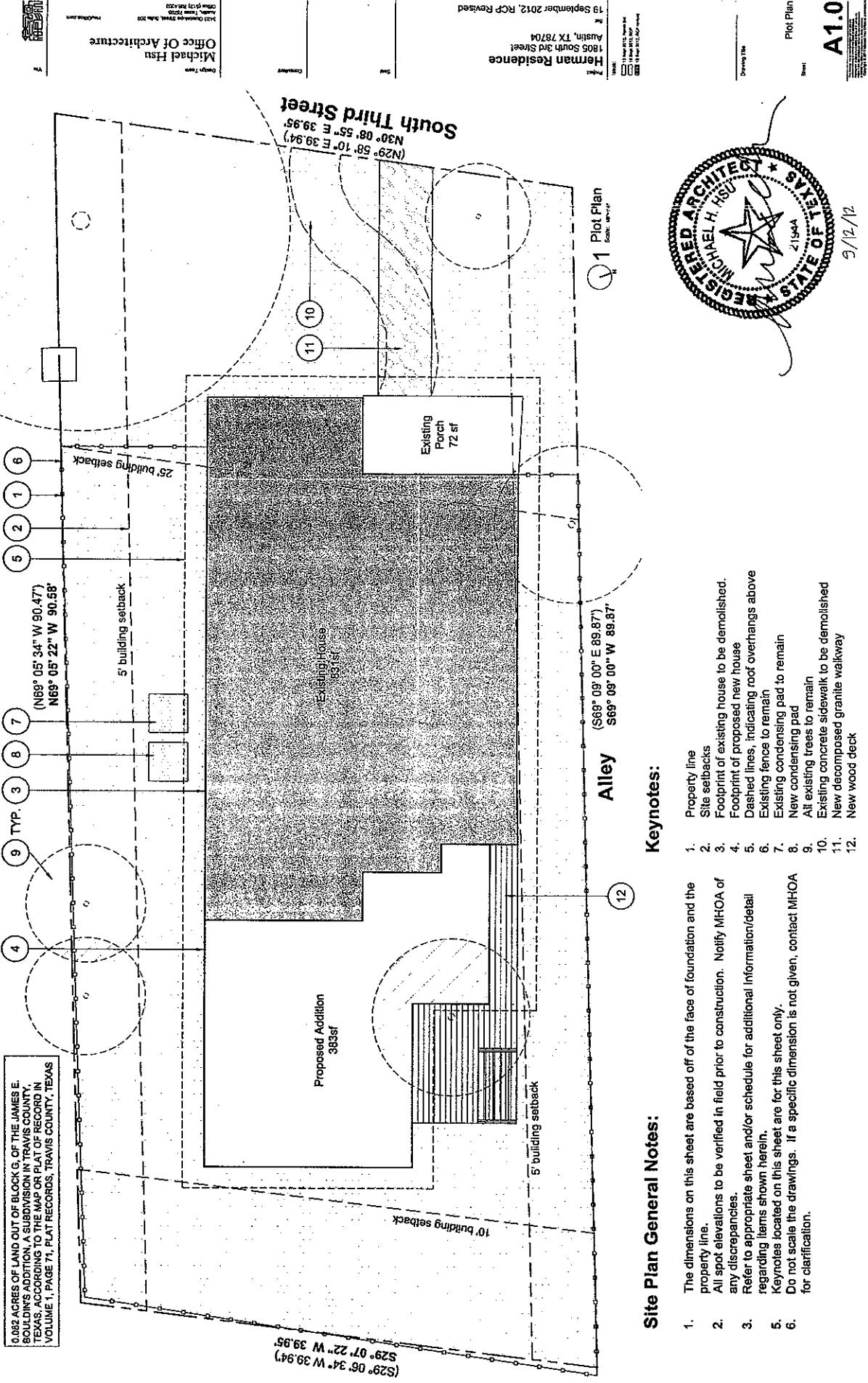
19

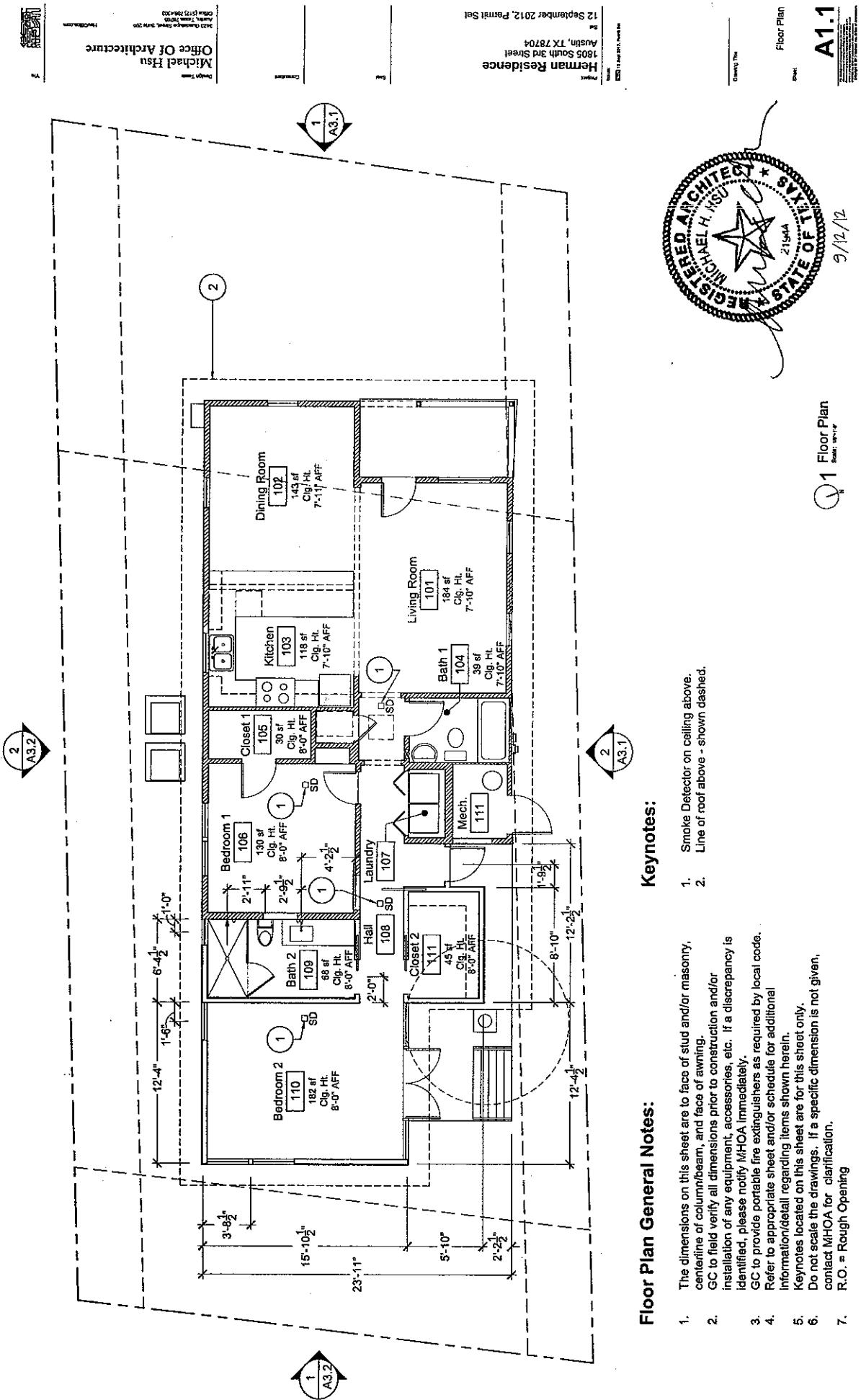
September

2012

&lt;

0.02 ACRES OF LAND OUT OF BLOCK 6, OF THE JAMES E. BULDIN'S ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 1, PAGE 71, PLAT RECORDS, TRAVIS COUNTY, TEXAS





### Keynotes:

1. Smoke Detector on ceiling above.
2. Line of roof above - shown dashed.

① 1 Floor Plan  
Sheet: 1 of 1

9/12/12

Floor Plan  
Sheet: 1 of 1

A1.0a

Non-Complying  
structures

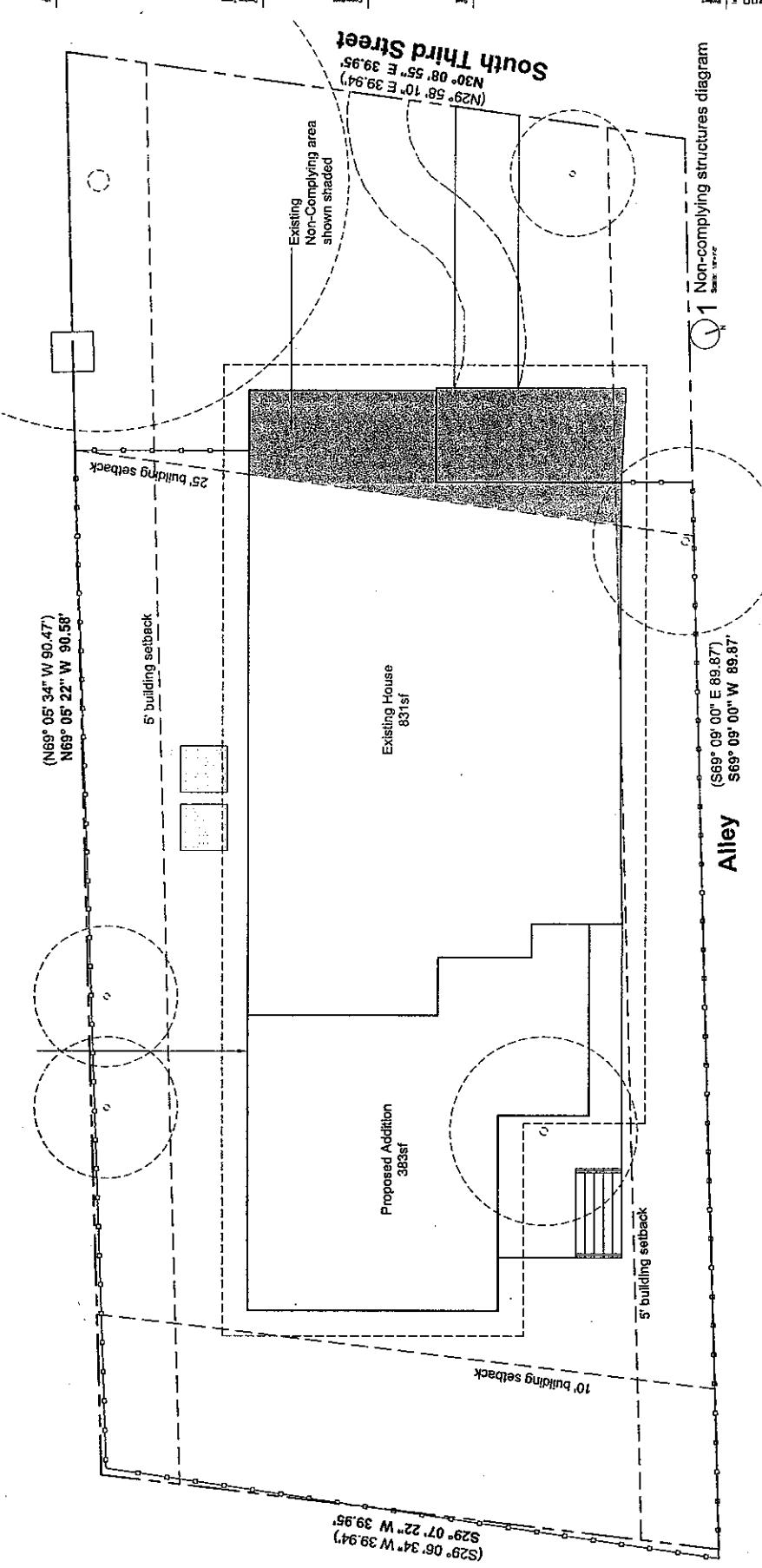


1 Non-complying structures diagram

Hermann Residence  
1005 South 3rd Street  
Austin, TX 78701  
19 September 2012, RCP Revised

Office Of Architecture  
Michael Hsu

Office Of Architecture  
Michael Hsu



A0.1

Site Photos  
1

Existing Site  
Photos

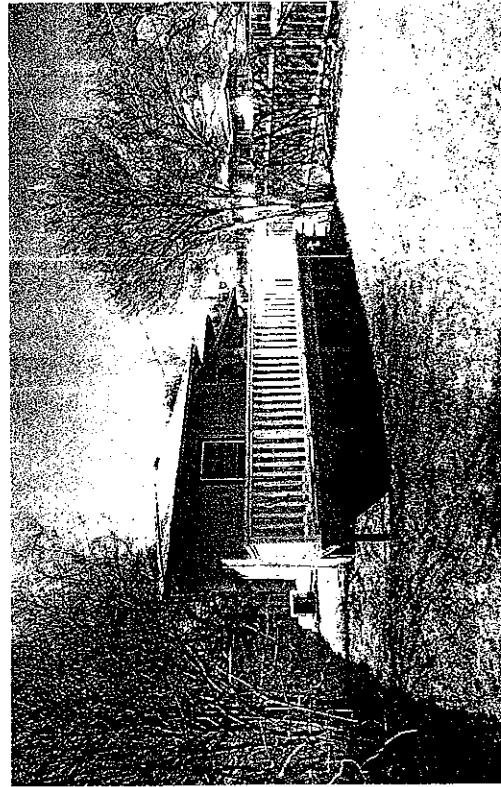
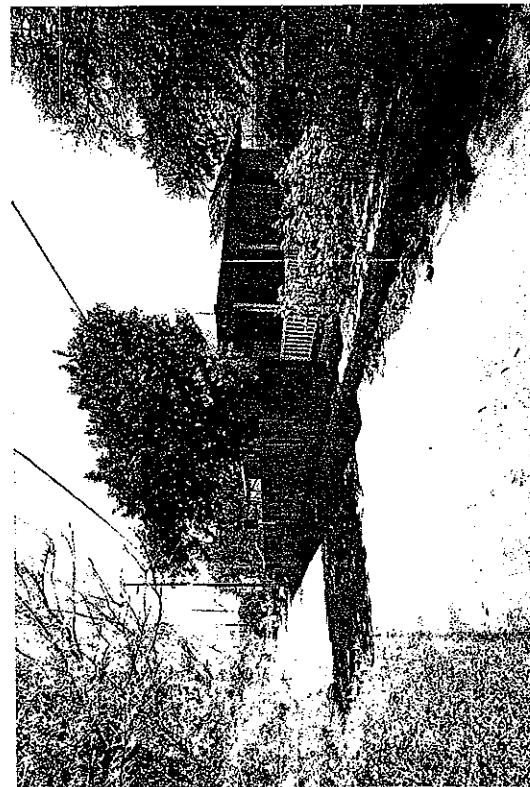
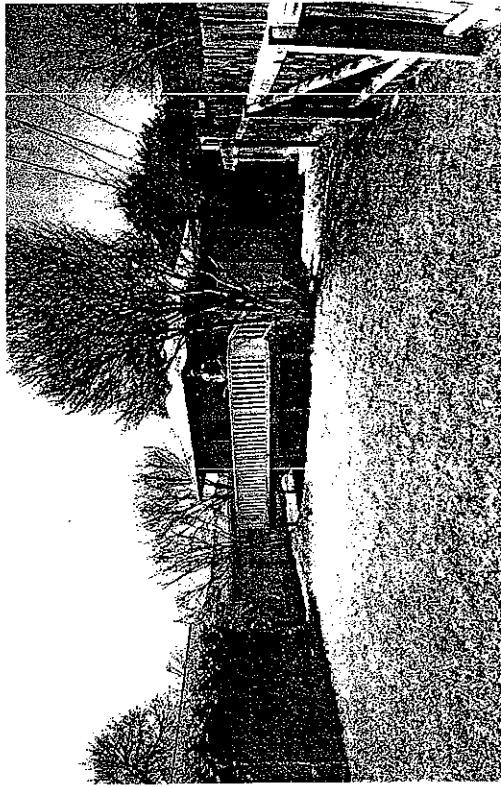
Site

Existing Site  
Photos

Site

19 September 2012, RCP Revised  
Austin, TX 78704  
1085 South 3rd Street  
Hermann Residence

19 September 2012, RCP Revised  
Austin, TX 78704  
1085 South 3rd Street  
Hermann Residence

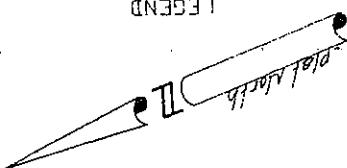


REVISIONS  
APRIL 18, 1994

LENDER, BUYER AND SELLER ABOVE-NAMED THIS SURVEY WAS MADE BY ME OR UNDER MY SUPERVISION ON THE GROUND OF THE DESCRIBED PROPERTY AND THAT THIS SURVEY IS ACCURATE, AND THAT THERE IS NO VISIBLE DISCREPANCIES, CONFLIGITS, OVERLAPPING OF INVISIBLE UTILITIES EASMENTS OR ROADWAYS, EXCEPT AS SHOWN HEREON, AND THAT SAID PROPERTY HAS ACCESS TO AND FROM A DEDICATED ROADWAY, EXCEPT AS SHOWN HEREON. THIS PLAT IS NOT VALID UNLESS APPROVED BY AN ORIGINAL HEERON.
RALPH HARRIS SURVEYOR INC. 1406 HETHERINGTON DRIVE, SUITE 78704
JAMES M. GRANT R.P.L.S. NO. 1911575 WORK ORDER NO. 271578 APRIL 11, 1994
JAMES M. GRANT LAND SURVEYOR PROFESSIONAL
1919

- 3/8" REBAR FOUND
  - 1/2" PIPE FOUND (EXCEPT AS NOTED)
  - CHAIN-LINK FENCE
  - AIR CONDITIONER
  - UTILITY POLE
  - UTILITY LINE
  - RECORD CALL
  - V. 1077, P. 1156
  - WORD PARADE

LEGEND



SCALE: 1" = 20'

SOUTH RD  
STREET  
(ROW)

REFERENCE: CF NO. C 12922-3-1  
BUYER: EDWARD PISTON AND LAURA CAFFREY-PISTON  
SELLER: KEVIN A. KERN  
LENDER: FIRST AMERICAN MORTGAGE COMPANY OF TEXAS  
TITLE CO: TEXAS PROFESSIONAL TITLE, INC.  
UNDEWRITER: UNITED GENERAL TITLE INSURANCE COMPANY

1. THE UNDERSIGNED, HAVE THIS DATE, MADE A CR out AND ACCURATE SURVEY OF THE PROPERTY LOCATED AT: 1805 SOUTH 3RD STREET, \* BEING DESCRIBED AS FOLLOWS: 0.082 ACRES OF LAND OUT OF BLOCK G, OF THE JAMES E. BOULDIN'S ADDITION, A SUBDIVISION IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 1, PAGE 71, PLAT RECORDS, TRAVIS COUNTY, TEXAS, AND BEING MORE FULLY DESCRIBED BY METES AND BOUNDS IN EXHIBIT "A". ATTACHED HERETO AND MADE A PART HEREOF.